

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

WILLIAM VIERA,

Defendant.

M.B.D. Case No. 22-91452-RGS

**ASSENTED-TO MOTION TO EXTEND TIME WITHIN WHICH
INDICTMENT OR INFORMATION MUST BE FILED**

The United States of America hereby respectfully moves the Court for an Order, pursuant to 18 U.S.C. § 3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), that extends the time within which an indictment or information must be filed in the above-captioned case until October 24, 2022. Counsel for the defendant assents to this motion.

In support of the motion, the government states as follows:

1. William Viera (the “Defendant”) has been charged by criminal complaint with dealing in firearms without a license, in violation of 18 U.S.C. § 922(a)(1)(A) (Case No. 1:22-mj-6225-MPK). The Defendant was arrested on August 18, 2022. On August 23, 2022, a detention and probable cause hearing was held before Hon. M. Page Kelley, U.S. Magistrate Judge, and the Defendant waived probable cause and agreed to a voluntary order of detention without prejudice.

2. The government has provided some early discovery to the defendant, and the parties have engaged in preliminary discussions about a potential pre-indictment resolution. The requested extension would allow defense counsel time to confer with the defendant, and allow the parties additional time to continue discussions about a potential pre-indictment plea. An

agreement involving a pre-indictment plea may work to the defendant's benefit, and would promote judicial economy.

3. The government submits that the delay resulting from the extension of time for filing an indictment or information serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial.

4. Accordingly, the government asks the Court to enter an Order that extends the time within which an indictment or information must be filed in the above-captioned case for approximately 30 days, until October 24, 2022.

5. The government also asks the Court to exclude the time period from September 22, 2022, through and including October 24, 2022, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the U.S. District Court for the District of Massachusetts, on the ground that the ends of justice served by granting the requested continuance and excluding these periods outweigh the best interests of the public and the defendant in a speedy trial.

6. The government has consulted with counsel for the Defendant, who assents to this motion.

7. No previous extensions have been requested.

Respectfully submitted,

RACHAEL S. ROLLINS
United States Attorney

By: /s/ Charles Dell'Anno
Charles Dell'Anno
Assistant U.S. Attorney

Date: September 14, 2022

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document will be sent via email to the attorney of record for the Defendant.

/s/ Charles Dell'Anno

Charles Dell'Anno

Date: September 14, 2022